

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010

COMMITTEE STATEMENT (CORRECTED)

LB650

Hearing Date: Tuesday February 24, 2009
Committee On: Transportation and Telecommunications
Introducer: Christensen
One Liner: Authorize the operation of minitrucks and utility-type vehicles as prescribed

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

| | | |
|----------------------------|---|---|
| Aye: | 6 | Senators Campbell, Fischer, Hadley, Lautenbaugh, Louden, Stuthman |
| Nay: | | |
| Absent: | 1 | Senator Janssen |
| Present Not Voting: | 1 | Senator Gay |

Proponents:

Senator Mark Christensen
Fred Franklin
Keith Wasem

Representing:

Introducer
self
self

Opponents:

Representing:

Neutral:

Loy Todd

Representing:

Nebraska New Car & Truck Dealers

Summary of purpose and/or changes:

LB 650 authorizes the operation of minitrucks on all highways except for the Interstate, controlled-access highways, and expressways.

The bill creates a definition of minitruck in the Motor Vehicle Certificate of Title Act, Registration Act, Safety Responsibility Act, and Rules of the Road. A minitruck must be powered by an internal combustion engine, be less than sixty-seven inches wide, weigh less than 3,400 lbs., have four or more tires, have a top speed of 55 mph, have a bed for hauling, have an enclosed passenger cab, be equipped with headlights, taillights, turn signals, windshield wipers, rearview mirror, and seat belts, and have a four or five speed transmission.

The bill includes the term minitruck in the definition of motor vehicle in each act, thereby making minitrucks subject to the acts. Minitrucks will have to be titled, registered, and insured, and are subject to the rules of the road.

In addition, the bill prohibits the operation of minitrucks on the Interstate, on controlled-access highways, or on expressways. During operation, the headlights and taillights of the minitruck must be on at all times.

Explanation of amendments:

The committee amendment, AM 1582, strikes the original sections and becomes the bill. The amendment authorizes the operation of two off-road vehicles in some capacity: a minitruck and a utility-type vehicle (UTV).

1.) Minitrucks - Under AM 1582, minitrucks would be treated the same as a normal passenger motor vehicle with some limitations.

a. Certificate of Title: Minitrucks would be required to be titled.

b. Registration: Minitrucks would be required to be registered. The amendment provides for tax schedules for the registration fee (\$15), MV Tax (base fee of \$50), and MV Fee (base fee of \$10).

c. License Plates: Minitrucks would be required to display a distinctive minitruck plate on the back of the vehicle.

d. For purposes of the Operator's License Act and Financial Responsibility Act, minitrucks would fall under the definition of motor vehicle, thereby making their drivers subject to operator's license and motor vehicle insurance requirements.

e. Minitrucks would also fall under the definition of motor vehicle in the MV Industry Licensing Articles. This would make the minitruck required to be sold by a licensed motor vehicle dealer.

f. Section 38 of the amendment outlines the minitruck's limitations:

i. Cannot be operated on the Interstate, expressways, or highways with a speed limit of 65 or greater;

ii. Must be operated with its headlights and taillights on.

2.) Utility-Type Vehicles (UTV's) - Under AM 1582, a definition of UTV would be added throughout Chapter 60 and the Motor Vehicle statutes, and the amendment would treat the UTV in the same capacity as an ATV. UTV's would not include golf carts or low-speed vehicles.

a. Certificate of Title: UTV's would be required to be titled.

b. There would be no registration requirement for a UTV.

c. UTV's would not be subject to the Operator's License Act and Financial Responsibility, but the operator would be required to have a license and liability insurance coverage per Sec. 60-6,356.

d. A UTV could be operated on a two-lane highway if being used for agricultural purposes, or within municipal limits if authorized by ordinance.

e. A UTV could not operate in excess of 30 mph, the headlight and taillight must be on, and the vehicle must have a safety flag. The UTV would only be operated during daylight hours.

The amendment has an operative date of January 1, 2011 to give the Department of Motor Vehicles time to incorporate the necessary changes into its Vehicle Titling and Registration (VTR) system.

Deb Fischer, Chairperson